IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.13332 of 2008

KUMARI ANITA CHOUDHARY
Versus
THE STATE OF BIHAR

2. 16.5.2008 Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in connection with Hilsa P.S. Case No.08 of 2008 registered for the offences under sections 467, 468 and 420 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the allegation is to the effect that the selection of Aangan Bari Sahayika was wrongly made since the guideline issued by the Department that the candidate should be a resident of the concerned area was not followed and, as such, the appointment was illegal. It is further submitted that the petitioner is not the appointing authority. The appointment is made by the Chairman. The petitioner is a Member of the Selection Committee. Therefore, no criminal liability can be fastened on this petitioner. It is further submitted that the appointment was later on cancelled.

Considering the submissions, as noticed above, and on perusal of the allegations made in the First Information Report as well as the averments made in the petition and the materials brought on the record, it is directed that petitioner Kumari

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Anita Choudhary, in the event of her arrest or surrender in connection with Hilsa P.S. Case No.08 of 2008 within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda, in the aforesaid case, on the conditions as mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM **(Shailesh Kumar Sinha, J.)**

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